

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
SAM M BURNS) Case No. 22-21258 GLT
)
)
) Chapter 13
Debtor(s).)

STIPULATED INTERIM MORTGAGE MODIFICATION ORDER

On October 7 2022 the above named Debtor(s) and Respondent Fay Servicing, LLC (“Creditor”) entered into a trial modification (the “Trial Modification”), with respect to the first mortgage on the Debtor’s residence. The terms of the Trial Modification require monthly payments in the amount of \$2,163.03 (“Trial Payments”) to begin on **November 1 2022** and to continue in that amount until **January 1 2023** (the “Trial Modification Period”). In light of the need for an immediate change in the distribution to the Creditor, the Debtor(s) request the Court to enter this *Interim Mortgage Modification Order* until a final, permanent modification can be presented to the Court for approval.

AND NOW, this _____ day of _____, 20__, for the foregoing reasons it is hereby
ORDERED, ADJUDGED and DECREED that:

(1) The Chapter 13 Trustee is authorized and directed to modify the distributions to the above-named Creditor for the Trial Modification Period. Each Trial Payment shall be made in the

PAWB Local Form 47 (04/14)

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Amount of \$2,163.03 for the following months: November, December, January. Following the Trial Modification Period, the Chapter 13 Trustee shall continue to make distributions in the same amount as the Trial Payments until further Order of Court. Trustee is authorized to make these payments from available funds on hand.

(2) Debtor will remit additional funds as necessary to cover any shortfall between the current plan payment of \$1,854.00 and estimated plan payment required of \$ 2,376.15.

(3) An amended plan will be filed within ten (10) days of this Order.

(4) In the event that a Permanent Modification is reached between the Parties, the Debtor **immediately** shall file a *Motion to Authorize the Loan Modification* in compliance with *W.PA.LBR 9020-6(d)*.

(5) Any Party may seek a further hearing regarding the amendment or termination of this *Order* at any time during the Trial Modification Period by filing an appropriate Motion.

(6) Within three (3) days of entry of this *Order*, Debtor shall serve this *Order* electronically on the Chapter 13 Trustee at the following email address: **LMP@chapter13trusteedpa.com** and Debtor shall not be entitled to rely on CM/ECF or United States Mail for service of this *Order* on the Chapter 13 Trustee. The Debtor(s) Certificate of Service shall reflect service upon the above identified email address.

SO ORDERED, this ____ day of _____, 202____

Dated: _____

United States Bankruptcy Judge

Stipulated by:

/s/ Lawrence Willis Esq.
Counsel to Debtor

Stipulated by:

/s/ Jim Warmbrodt, Esq.
Counsel to Chapter 13 Trustee

Stipulated by:

/s/ Denise Carlon, Esq.
Denise Carlon, Esq.
KML Law Group, P.C.
Managing Attorney - Bankruptcy

cc: All Parties in Interest to be served by Clerk